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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/481,988	01/11/2000	PAUL J. BRUINSMA	1941-70	6422

20575 7590 04/03/2003

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EXAMINER

MARCANTONI, PAUL D

ART UNIT PAPER NUMBER

1755

31

DATE MAILED: 04/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
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4/27/03

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/481,988	1/11/00	BRUNSMAN et al.	1941-70

HC

EXAMINER	
Paul Marcantoni	
ART UNIT	PAPER NUMBER
1755	31

DATE MAILED:

Below is a communication from the EXAMINER in charge of this application

COMMISSIONER OF PATENTS AND TRADEMARKS

ADVISORY ACTION

☒ THE PERIOD FOR RESPONSE:

- a) ☒ is extended to run 4 mos or continues to run _____ from the date of the final rejection
- b) ☐ expires three months from the date of the final rejection or as of the mailing date of this Advisory Action, whichever is later. In no event however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

☐ Appellant's Brief is due in accordance with 37 CFR 1.192(a).

☒ Applicant's response to the final rejection, filed 3/27/03 ^{and is} has been considered with the following effect, ~~but is not~~ deemed to place the application in condition for allowance:

1. ☐ The proposed amendments to the claim and/or specification will not be entered and the final rejection stands because:
- a. ☐ There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.
 - b. ☐ They raise new issues that would require further consideration and/or search. (See Note).
 - c. ☐ They raise the issue of new matter. (See Note).
 - d. ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
 - e. ☐ They present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE:

(See attached sheet)

2. ☐ Newly proposed or amended claims _____ would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims.
3. ☐ Upon the filing an appeal, the proposed amendment ☐ will be entered ☐ will not be entered and the status of the claims will be as follows:

Claims allowed: 1-27, 40, 41, 58-60, 69-71, 78-88, 90-95, 98, + 109-115, + 128

Claims objected to: _____

Claims rejected: _____

However;

☒ Applicant's response has overcome the following rejection(s): claim 128 is allowable + case is in condition for allowance pending re-submission of amendment ^{reworking claims.}

4. ☐ The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because _____
5. ☐ The affidavit or exhibit will not be considered because applicant has not shown good and sufficient reasons why it was not earlier presented.

☐ The proposed drawing correction ☐ has ☐ has not been approved by the examiner.

☐ Other

PAUL MARCANTONI
PRIMARY EXAMINER
09010 1400

Applicant's arguments filed 3/27/03 have been fully considered but they are persuasive. Claim 128 is determined to be allowable. Now claims 1-27,40,41,58-60,69-71,78-88,90-95,98,109-115, and 128 are in condition for allowance.

New Amendment:

It would be appreciated if applicants would submit the actual amendment faxed on 3/27 with only the the following request:

1) That applicants *cancel* all previous pending claims which are now allowable including claims 1,27,40,41,58-60,69-71,78-88,90-95,98,109-115, and 128.

And

2) Renumber those claims from the 3/27/03 amendment as newclaims starting with claim 129 onwards. The following sequence matches old claims and new claims to be submitted

Claim 1	should be renumbered	129
2	should be renumbered	130
3	" " "	131
4	" " "	132

etc.

128	should be renumbered	189
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This is being requested in order to expedite processing and prevent any delays at the printer due to the extensive case history and number of amendments during the 3

years of prosecution. Often cases with numerous amendments have the potential to cause problems and delay at the printer. Applicants' assistance in this matter is appreciated. A Notice of Allowability will be sent to applicants pending upon receipt of this amendment.

Applicants are respectfully requested to fax the same amendment as was faxed on 3/27/03 with the new claim numbers and cancellation of all previous claims.

The Tech Center 1700 Fax numbers are 703-872-9310 and 703-872-9311.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Marcantoni whose telephone number is (703)-308-1196. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Bell can be reached on (703) 308-3823. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-872-9310 for regular communications and (703)-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0651.



Paul Marcantoni
Primary Examiner
Art Unit 1755